

41
DOCKET NO. 160298.01

2172
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Ravisankar Pudipeddi, et al.

Application No.: 09/783,820

Filing Date: February 15, 2001

For: **CONCURRENT DATA RECALL IN A HIERARCHICAL STORAGE
ENVIRONMENT USING PLURAL QUEUES**

Confirmation No.: 5490

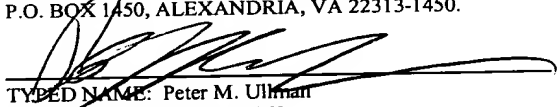
Group Art Unit: 2172

Examiner: Ehichioya, Fred I.

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Technology Center 2100

DATE OF DEPOSIT: September 7, 2004

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DEPOSITED WITH THE UNITED STATES POSTAL
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ADDRESSED TO THE COMMISSIONER FOR PATENTS,
P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.


TYPED NAME: Peter M. Ullman
REGISTRATION NO.: 43,963

☒ MS Amendment ☐ MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

- ☐ A Preliminary Amendment.
- ☒ A Reply Responsive to the Office Action Dated June 16, 2004.
- ☐ Supplemental to the Paper filed .
- ☐ A Substitute Specification (pages 1 -) in clean form.
 - ☐ A substitute specification (pages 1 -) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures .
- ☐ Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.


- ☐ Petition is hereby made to accept drawing(s)/photograph(s) in this case.
- ☐ Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- ☐ An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ A Terminal Disclaimer is attached.
- ☐ Appendices as follows:
- ☒ Other: Applicant-Initiated Interview Summary
- ☐ **No Additional Fee is Due.**
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	29	28 (20 MINIMUM)	2	\$9 EACH	\$	\$18 EACH	\$36.00
INDEP. CLAIMS	4	5(3 MINIMUM)	0	\$43 EACH	\$	\$86 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$	\$290	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$	\$950	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$1005	\$	\$2010	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$36.00

- ☒ A check in the amount of **\$36.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of .00 . This sheet is attached in duplicate.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____ month(s).

- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: September 7, 2004


Peter M. Ullman
Registration No. 43,963

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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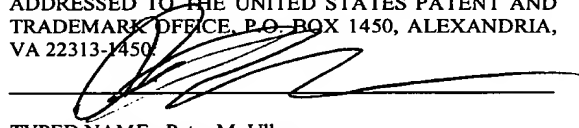
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TYPED NAME: Peter M. Ullman
REGISTRATION NO.: 43,963

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant-Initiated Interview Summary

Date of Interview: August 11, 2004

Interview Type: ☐ Personal ☒ Telephonic ☐ Electronic Mail ☐ Video Conference ☐ Other:

Participants:

From PTO: (Include Name and Title)

1. Fred I. Ehichioya, Examiner
2. Alford Kindred, Primary Examiner
- 3.

For Applicant:

1. Peter M. Ullman, Attorney for applicants
2. , choose one: Applicant, Attorney, Agent
3. , choose one: Applicant, Attorney, Agent
4. , choose one: Applicant, Attorney, Agent

☐ An exhibit or demonstration was included and is described below:

The claims discussed included: Claim(s) 1, 2, 3, 7, 21, and 27

The ☒art ☐prior art discussed included:

The Lerman reference.

An agreement ☐was ☒was not reached.

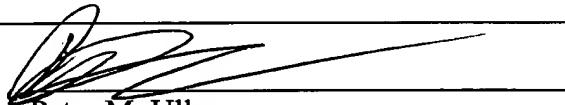
☐It was agreed that the attached claims are allowable.

☐It was agreed that the attached amendment would be entered.

☐The interview is summarized below.

Applicants noted that there appears to be no ground stated in the office action for rejecting claim 27. Additionally, applicants argued that at least the following features were not taught in the prior art: (1) the queue-per-media feature; (2) the monotonically-increasing sequence feature (i.e., two distinct increasing sequences with respect to offset into a medium); (3) the concurrent retrieval feature; and (4) the timestamp feature (i.e., considering the age of a queue as one factor in deciding which queue to activate.).

Date: September 7, 2004


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